

Assembly Bill No. 477

CHAPTER 726

An act to amend Sections 3019 and 6901 of, to add Chapter 5 (commencing with Section 6850) to Part 1 of Division 6 of, and to add Part 6 (commencing with Section 7900) to Division 7 of, the Elections Code, relating to elections.

[Approved by Governor October 10, 2015. Filed with
Secretary of State October 10, 2015.]

LEGISLATIVE COUNSEL'S DIGEST

AB 477, Mullin. Elections: ballots and the Green Party.

(1) Upon receipt of a vote by mail ballot and to determine if the signatures compare, existing law requires an elections official to compare the signature on the identification envelope with either (A) the signature appearing on the voter's affidavit of registration or a previous affidavit of registration of the voter, or (B) the signature appearing on a form issued by an elections official that contains the voter's signature, that is part of the voter's registration record, and that the elections official has determined compares with the signature on the voter's affidavit of registration or a previous affidavit of registration of the voter. If the signatures do not compare, existing law requires the identification envelope to not be opened, the ballot to not be counted, and the cause of the rejection to be written on the face of the identification envelope.

This bill would strike the requirement that an elections official, in comparing the signatures on the identification envelope, as described in (B) above, determine that the signature appearing on a form issued by the elections official that contains the voter's signature compares with the signature on the voter's affidavit of registration or a previous affidavit of registration of the voter. If an elections official determines that a voter has failed to sign the identification envelope, the bill would prohibit the elections official from rejecting the vote by mail ballot if the voter signs the identification envelope at the elections official's office before 5 p.m. on the 8th day after the election, completes and submits an unsigned ballot statement, as specified, before 5 p.m. on the 8th day after the election, or completes and submits an unsigned ballot statement to a polling place within the county or a ballot dropoff box before the close of the polls on election day. The bill would require the elections official to accept any completed unsigned ballot statement. The bill would require the elections official, upon receipt of the unsigned ballot statement, to compare the voter's signature on the statement, as described above, and, if the signatures compare, would require the elections official to attach the statement to the identification envelope and deposit the ballot, still in the identification envelope, in a

ballot container in his or her office. The bill would require the identification envelope to not be opened and the ballot to not be counted if the elections official determines that the signatures do not compare. The bill would also require an elections official to include the unsigned ballot statement and instructions, and certain contact information, on his or her Internet Web site. By requiring elections officials to take additional actions related to vote by mail ballots, the bill would impose a state-mandated local program.

(2) Existing law provides for specific procedures by which the Democratic Party, the Republican Party, the American Independent Party, and the Peace and Freedom Party participate in the presidential primary.

This bill would establish the procedures by which the Green Party would participate in the presidential primary.

Existing law authorizes the Democratic Party, the Republican Party, the American Independent Party, and the Peace and Freedom Party to each elect county central committees. Existing law establishes state central committees for the Democratic Party, the Republican Party, the American Independent Party, and the Peace and Freedom Party.

This bill would authorize the Green Party to establish, by election, county councils. The bill would also establish a state coordinating committee for the Green Party.

(3) This bill would incorporate additional changes to Section 3019 of the Elections Code, proposed by AB 1020, that would become operative only if AB 1020 and this bill are both chaptered and become effective on or before January 1, 2016, and this bill is chaptered last.

(4) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

The people of the State of California do enact as follows:

SECTION 1. Section 3019 of the Elections Code is amended to read:

3019. (a) Upon receipt of a vote by mail ballot, the elections official shall compare the signature on the identification envelope with either of the following to determine if the signatures compare:

(1) The signature appearing on the voter's affidavit of registration or a previous affidavit of registration of the voter.

(2) The signature appearing on a form issued by an elections official that contains the voter's signature and that is part of the voter's registration record.

(b) In comparing signatures pursuant to subdivision (a), the elections official may use the duplicate file of affidavits of registered voters or facsimiles of voters' signatures if the method of preparing and displaying the facsimiles complies with the law.

(c) (1) If upon conducting the comparison of signatures pursuant to subdivision (a) the elections official determines that the signatures compare, he or she shall deposit the ballot, still in the identification envelope, in a ballot container in his or her office.

(2) If upon conducting the comparison of signatures pursuant to subdivision (a) the elections official determines that the signatures do not compare, the identification envelope shall not be opened and the ballot shall not be counted. The cause of the rejection shall be written on the face of the identification envelope.

(d) The variation of a signature caused by the substitution of initials for the first or middle name, or both, shall not be grounds for the elections official to determine that the signatures do not compare.

(e) In comparing signatures pursuant to this section, an elections official may use signature verification technology. If signature verification technology determines the signatures do not compare, the elections official shall not reject the ballot unless he or she visually examines the signatures and verifies that the signatures do not compare.

(f) (1) (A) Notwithstanding any other law, if an elections official determines that a voter has failed to sign the identification envelope, the elections official shall not reject the vote by mail ballot if the voter does any of the following:

(i) Signs the identification envelope at the office of the elections official during regular business hours before 5 p.m. on the eighth day after the election.

(ii) Before 5 p.m. on the eighth day after the election, completes and submits an unsigned ballot statement in substantially the following form:

“UNSIGNED BALLOT STATEMENT

I, _____, am a registered voter of _____ County, State of California. I do solemnly swear (or affirm) that I requested and returned a vote by mail ballot and that I have not and will not vote more than one ballot in this election. I understand that if I commit or attempt any fraud in connection with voting, or if I aid or abet fraud or attempt to aid or abet fraud in connection with voting, I may be convicted of a felony punishable by imprisonment for 16 months or two or three years. I understand that my failure to sign this statement means that my vote by mail ballot will be invalidated.

Voter’s Signature

Address”

(iii) Before the close of the polls on election day, completes and submits an unsigned ballot statement, in the form described in clause (ii), to a polling place within the county or a ballot dropoff box.

(B) If timely submitted, the elections official shall accept any completed unsigned ballot statement. Upon receipt of the unsigned ballot statement, the elections official shall compare the voter's signature on the statement in the manner provided by this section.

(i) If the elections official determines that the signatures compare, he or she shall attach the unsigned ballot statement to the identification envelope and deposit the ballot, still in the identification envelope, in a ballot container in his or her office.

(ii) If the elections official determines that the signatures do not compare, the identification envelope shall not be opened and the ballot shall not be counted.

(C) An elections official may use methods other than those described in subparagraph (A) to obtain a voter's signature on an unsigned identification envelope.

(2) Instructions shall accompany the unsigned ballot statement in substantially the following form:

“READ THESE INSTRUCTIONS CAREFULLY BEFORE COMPLETING THE STATEMENT. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE YOUR BALLOT NOT TO COUNT.

1. In order to ensure that your vote by mail ballot will be counted, your statement should be completed and returned as soon as possible so that it can reach the elections official of the county in which your precinct is located no later than 5 p.m. on the eighth day after the election.
2. You must sign your name on the line above (Voter's Signature).
3. Place the statement into a mailing envelope addressed to your local elections official. Mail, deliver, or have delivered the completed statement to the elections official. Be sure there is sufficient postage if mailed and that the address of the elections official is correct.
4. Alternatively, you may submit your completed statement by facsimile transmission to your local elections official, or submit your completed statement to a polling place within the county or a ballot dropoff box before the close of the polls on election day.

(3) An elections official shall include the unsigned ballot statement and instructions described in this subdivision on his or her Internet Web site, and shall provide the elections official's mailing address and facsimile transmission number on the Internet Web page containing the statement and instructions.

(g) A ballot shall not be removed from its identification envelope until the time for processing ballots. A ballot shall not be rejected for cause after the identification envelope has been opened.

SEC. 1.5. Section 3019 of the Elections Code is amended to read:

3019. (a) Upon receipt of a vote by mail ballot, the elections official shall compare the signature on the identification envelope with either of the following to determine if the signatures compare:

(1) The signature appearing on the voter's affidavit of registration or any previous affidavit of registration of the voter.

(2) The signature appearing on a form issued by an elections official that contains the voter's signature and that is part of the voter's registration record.

(b) In comparing signatures pursuant to subdivision (a), the elections official may use facsimiles of voters' signatures, if the method of preparing and displaying the facsimiles complies with the law.

(c) (1) If upon conducting the comparison of signatures pursuant to subdivision (a) the elections official determines that the signatures compare, he or she shall deposit the ballot, still in the identification envelope, in a ballot container in his or her office.

(2) If upon conducting the comparison of signatures pursuant to subdivision (a) the elections official determines that the signatures do not compare, the identification envelope shall not be opened and the ballot shall not be counted. The cause of the rejection shall be written on the face of the identification envelope.

(d) The variation of a signature caused by the substitution of initials for the first or middle name, or both, shall not be grounds for the elections official to determine that the signatures do not compare.

(e) In comparing signatures pursuant to this section, an elections official may use signature verification technology. If signature verification technology determines the signatures do not compare, the elections official shall not reject the ballot unless he or she visually examines the signatures and verifies that the signatures do not compare.

(f) (1) (A) Notwithstanding any other law, if an elections official determines that a voter has failed to sign the identification envelope, the elections official shall not reject the vote by mail ballot if the voter does any of the following:

(i) Signs the identification envelope at the office of the elections official during regular business hours before 5 p.m. on the eighth day after the election.

(ii) Before 5 p.m. on the eighth day after the election, completes and submits an unsigned ballot statement in substantially the following form:

“UNSIGNED BALLOT STATEMENT

I, _____, am a registered voter of _____ County, State of California. I do solemnly swear (or affirm) that I requested and returned a vote by mail ballot and that I have not and will not vote more than one ballot in this election. I understand that if I commit or attempt any fraud in connection with voting, or if I aid or abet fraud or attempt to aid or abet fraud in connection with voting, I may be convicted of a felony punishable by imprisonment for 16 months or two or three years. I understand that my failure to sign this statement means that my vote by mail ballot will be invalidated.

Voter's Signature

Address”

(iii) Before the close of the polls on election day, completes and submits an unsigned ballot statement, in the form described in clause (ii), to a polling place within the county or a ballot dropoff box.

(B) If timely submitted, the elections official shall accept any completed unsigned ballot statement. Upon receipt of the unsigned ballot statement, the elections official shall compare the voter’s signature on the statement in the manner provided by this section.

(i) If the elections official determines that the signatures compare, he or she shall attach the unsigned ballot statement to the identification envelope and deposit the ballot, still in the identification envelope, in a ballot container in his or her office.

(ii) If the elections official determines that the signatures do not compare, the identification envelope shall not be opened and the ballot shall not be counted.

(C) An elections official may use methods other than those described in subparagraph (A) to obtain a voter’s signature on an unsigned identification envelope.

(2) Instructions shall accompany the unsigned ballot statement in substantially the following form:

“READ THESE INSTRUCTIONS CAREFULLY BEFORE COMPLETING THE STATEMENT. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE YOUR BALLOT NOT TO COUNT.

1. In order to ensure that your vote by mail ballot will be counted, your statement should be completed and returned as soon as possible so that it can reach the elections official of the county in which your precinct is located no later than 5 p.m. on the eighth day after the election.
2. You must sign your name on the line above (Voter’s Signature).
3. Place the statement into a mailing envelope addressed to your local elections official. Mail, deliver, or have delivered the completed statement to the elections official. Be sure there is sufficient postage if mailed and that the address of the elections official is correct.
4. Alternatively, you may submit your completed statement by facsimile transmission to your local elections official, or submit your completed statement to a polling place within the county or a ballot dropoff box before the close of the polls on election day.

(3) An elections official shall include the unsigned ballot statement and instructions described in this subdivision on his or her Internet Web site, and shall provide the elections official’s mailing address and facsimile transmission number on the Internet Web page containing the statement and instructions.

(g) A ballot shall not be removed from its identification envelope until the time for processing ballots. A ballot shall not be rejected for cause after the identification envelope has been opened.

SEC. 2. Chapter 5 (commencing with Section 6850) is added to Part 1 of Division 6 of the Elections Code, to read:

CHAPTER 5. GREEN PARTY PRESIDENTIAL PRIMARY

Article 1. General Provisions

6850. This chapter applies to the presidential primary ballot of the Green Party only. As used in this chapter, “Green Party” means the Green Party of California.

6850.5. The Green Party presidential primary ballot shall express the presidential preference of California voters who vote in the Green Party primary. National convention delegates shall be selected as provided for in the bylaws and the rules and procedures of the Green Party and pursuant to the rules of the national political party with which the Green Party is affiliated.

6850.7. A filing fee shall not be required from a person to be voted for in a Green Party presidential primary.

Article 2. Qualification of Candidates for Presidential Preference Portion of Primary Ballot

6851. The Secretary of State shall place the name of a candidate upon the Green Party presidential preference ballot when the Secretary of State has determined that the candidate is generally advocated for or recognized throughout the United States or California as actively seeking the presidential nomination of the Green Party or the national political party with which the Green Party is affiliated.

6851.5. On or before the 150th day preceding a presidential primary election, the Secretary of State shall send a letter by first-class mail to the Green Party Liaison to the Secretary of State informing her or him that, while a response is not required, any information she or he wishes to submit will be considered by the Secretary of State in the determination of candidates to be placed on the Green Party presidential preference primary ballot pursuant to Section 6851.

6852. On or before the 120th day preceding a presidential primary election, the Secretary of State shall publicly announce and distribute to the news media for publication a list of the candidates she or he intends to place on the ballot at the following presidential primary election. Following this announcement, the Secretary of State may add candidates to her or his selection, but she or he may not delete any candidate whose name appears on the announced list. The Secretary of State shall mail a copy of the list

and any subsequent additions to the list to the Green Party Liaison to the Secretary of State.

6852.5. When the Secretary of State decides to place the name of a candidate on the ballot pursuant to Sections 6851 and 6852, the Secretary of State shall notify the candidate that her or his name will appear on the Green Party presidential preference primary ballot.

6853. If a selected candidate or an unselected candidate files with the Secretary of State, no later than the 68th day before the presidential primary, an affidavit stating without qualification that she or he is not a candidate for the office of President of the United States at the forthcoming presidential primary election, the name of that candidate shall be omitted from the list of names certified by the Secretary of State to the elections official for the ballot and the name of that candidate shall not appear on the presidential preference portion of the primary ballot.

6853.5. An unselected candidate desiring to have her or his name placed on the presidential preference primary ballot shall have nomination papers circulated on her or his behalf. In order to qualify the name of that candidate for placement on the presidential preference primary ballot, the nomination papers of the candidate shall be signed by voters registered as preferring the Green Party equal in number to not less than 1 percent of the number of persons registered as preferring the Green Party as reflected in the report of registration issued by the Secretary of State on the 135th day before the presidential primary election.

Article 3. Preparation, Circulation, and Filing of Nominating Papers

6854. This article applies to the nomination of a Green Party candidate for the presidential primary ballot.

6854.5. Nomination papers properly prepared, circulated, signed, and verified shall be left, for examination, with the elections official of the county in which they are circulated at least 74 days before the presidential primary.

6855. Each signer of a nomination paper for the presidential primary ballot may sign only one paper. The signer shall add her or his printed name and place of residence indicating city and giving the street and number, if any.

6855.5. A nomination paper may be presented in sections. Each section shall contain the name of the presidential preference candidate. Each section shall bear the name of the county in which it is circulated. Only voters of the county registered as preferring the Green Party are competent to sign.

6856. Each section shall be prepared with the lines for signatures numbered, and shall have attached the declaration of the circulator who obtained signatures to it, which shall meet all of the requirements of Section 104. No other declaration is required to be made.

6856.5. A verified nomination paper is prima facie evidence that the signatures are genuine and that the persons signing it are voters registered

as preferring the Green Party until it is otherwise proven by comparison of the signatures with the affidavits of registration in the office of the elections official.

6857. The nomination paper for a candidate for the presidential preference portion of the ballot shall be in substantially the following form:

SECTION OF NOMINATION PAPER SIGNED BY VOTER ON
BEHALF OF PRESIDENTIAL PREFERENCE PRIMARY CANDIDATE

Section _____ Page _____

County of _____.

Nomination paper of a presidential preference candidate for the Green Party
presidential primary ballot.

State of California }
County of _____ } ss.

SIGNER'S STATEMENT

I, the undersigned, am a voter of the County of _____, State of California, and am registered as preferring the Green Party. I hereby nominate _____ for the presidential preference portion of the Green Party's presidential primary ballot, to be voted for at the presidential primary to be held on the _____ day of _____, 20____. I have not signed the nomination paper of any other candidate for the same office.

Number _____ Signature _____ Printed name _____ Residence _____

1. _____
2. _____
3. _____
etc. _____

CIRCULATOR'S DECLARATION

I, _____, affirm all of the following:

1. That I am 18 years of age or older.
2. That my residence address, including street number, is

_____.

[If no street or number exists, a designation of my residence adequate to readily ascertain its location is

_____.]

3. That I secured signatures in the County of _____ to the nomination paper of a candidate in the presidential preference primary of the Green Party, that all the signatures on this section of the nomination paper numbered from 1 to _____, inclusive, were made in my presence, that the signatures were obtained between _____, 20__, and _____, 20__, and that to the best of my knowledge and belief each signature is the genuine signature of the person whose name it purports to be.

I declare under penalty of perjury that the foregoing is true and correct.

Executed at _____, California, this ____ day of _____, 20__.

[Signed] _____

Circulator

[Printed Name] _____

6857.5. Before filing, the sections of a nomination paper for a candidate shall be numbered in order.

6858. Nomination papers, properly assembled, may be consolidated and fastened together by counties, but nomination papers signed by voters in different counties shall not be fastened together.

6858.5. The elections official shall examine all nomination papers left with her or him for examination and shall disregard and mark “not sufficient” the name of any voter of that county that does not appear in the same handwriting on an affidavit of registration in the office of the elections official. The elections official shall also disregard and mark “not sufficient” the name of any voter of the county who is not registered as preferring the Green Party.

6859. Within five days after any nomination papers are left with the elections official for examination, the elections official shall do both of the following:

(a) Examine and affix to them a certificate reciting that she or he has examined them and stating the number of names that have not been marked “not sufficient.”

(b) Transmit the papers with the certificate of examination to the Secretary of State, who shall file the papers.

6859.5. The certificate of the elections official to nomination papers of a candidate shall be in substantially the following form:

CERTIFICATE OF COUNTY ELECTIONS OFFICIAL TO NOMINATION
PAPERS OF A CANDIDATE

To the Secretary of State:

I, County Elections Official of the County of _____, hereby certify that I have examined the nomination papers, to which this certificate is attached, of

the presidential candidate, and that the number of names which I have not marked “not sufficient” is _____.

The candidate named in the nomination papers is comprised of the following:

Dated this _____ day of _____, 20____.

(SEAL)

County Elections Official

By _____

Deputy

6860. Upon receipt of a sufficient number of signatures for the nomination of a candidate for the presidential preference primary ballot, the Secretary of State shall notify the candidate or her or his duly authorized representative of that fact.

Article 4. Green Party Presidential Primary Ballot

6861. Following the filing of nomination papers, the presidential preference primary candidates shall be printed upon the ballot.

6861.5. For the presidential primary election, the format of the Green Party ballot shall be governed by Chapter 2 (commencing with Section 13100) of Division 13, with the following exceptions:

(a) The heading “Presidential Candidate Preference” shall be included.

(b) Selected and unselected presidential candidates shall be listed below the heading specified in subdivision (a).

(c) The instructions to voters shall begin with the words “Vote for a candidate.” The instructions to voters shall also include the statement that “Delegates to the national convention will be selected after the primary election.”

6862. A person who believes her or his name may be used as a write-in candidate for President of the United States shall, no later than 21 days before the primary election, file an endorsement of her or his write-in candidacy with the Secretary of State, or no votes shall be counted for that write-in candidate.

Article 5. Certification of National Convention Delegates Election and Postelection Proceedings

6863. The number of delegates to be selected following the presidential preference primary shall be the number established by the national political party with which the Green Party is affiliated.

6863.5. National convention delegates shall be selected as provided for in the bylaws and the rules and procedures of the Green Party and pursuant to the rules of the national political party with which the Green Party is affiliated.

Article 6. Presidential Electors

6864. In each year of the general election at which electors of President and Vice President of the United States are to be chosen, the Green Party shall also nominate as the candidates of its party as many electors of President and Vice President of the United States as the state is then entitled, 50 percent of whom shall be women and 50 percent men, unless an odd number of electors is to be chosen, in which case the difference between the number of women and men shall be not more than one elector. The Green Party Liaison to the Secretary of State shall certify the name of each elector nominated, and the elector's residence address to the Secretary of State.

SEC. 3. Section 6901 of the Elections Code is amended to read:

6901. Whenever a political party, in accordance with Section 6864, 7100, 7300, 7578, or 7843, submits to the Secretary of State its certified list of nominees for electors of President and Vice President of the United States, the Secretary of State shall notify each candidate for elector of his or her nomination by the party. The Secretary of State shall cause the names of the candidates for President and Vice President of the several political parties to be placed upon the ballot for the ensuing general election.

SEC. 4. Part 6 (commencing with Section 7900) is added to Division 7 of the Elections Code, to read:

PART 6. GREEN PARTY

CHAPTER 1. GENERAL PROVISIONS

7900. This part applies to the organization, operations, and functions of the party known as the Green Party. As used in this part, "Green Party" means the Green Party of California.

CHAPTER 2. MEMBERS OF COUNTY COUNCILS

7901. At each presidential primary election, members of central committees, which shall be termed "county councils," shall be elected in each county.

7902. For purposes of this chapter, the registration figures used shall be those taken from the statement of voters and their political preferences transmitted by the elections officials to the Secretary of State on or before March 1 of the odd-numbered year preceding the next presidential primary election.

7903. The number of members of the county council to be elected in a county shall be a minimum of three and a maximum of 50, and the process in which each county's number shall be calculated shall be defined in the Green Party's bylaws and, to be effective, shall be communicated to the

Secretary of State by the Green Party Liaison to the Secretary of State no later than 175 days before the next presidential primary election.

7904. At its first meeting following the presidential primary election and at subsequent meetings, a county council may appoint additional members to the county council to fill any vacancy.

7905. A person shall not be appointed to membership on a county council who is registered as preferring another party or registered as “No Party Preference.” Appointment of other persons who cannot register to vote shall be allowed under certain circumstances as described in state Green Party bylaws and any applicable county Green Party bylaws.

7906. The removal of residence by an elected or appointed member of a county council from the applicable county shall constitute automatic resignation from the county council.

7907. A member of a county council who changes her or his voter registration to no longer prefer the Green Party shall automatically be removed from office upon such registration.

7908. County council members additionally may be removed for cause by procedures established in the Green Party’s bylaws.

7909. When a person is appointed to a county council, the county council shall file notices of the appointment with the county elections official and the coordinating committee of the Green Party within 30 days after the appointment is made. The notices shall contain the name and address of the person appointed and shall indicate the date of the appointment.

7910. The Department of General Services shall permit any county council that desires to do so to hold meetings in a state building within the county, and a minimum of one meeting each month shall be without charge.

CHAPTER 3. ELECTION OF COUNTY COUNCILS

7911. Members of county councils shall be elected from one or more multi-member districts. Multimember districts shall conform to the county boundaries or recognized jurisdictional boundaries of Congressional, State Assembly, State Senate, or Supervisorial districts within that county, in accordance with state Green Party bylaws and county Green Party bylaws.

7912. The Secretary of State, no later than the 175th day before the presidential primary election, shall compute the number of members of a county council to be elected in each county and shall mail a certificate to that effect to the elections official of each county and to the Green Party Liaison to the Secretary of State.

7913. The elections official, no later than the 172nd day before the presidential primary election, shall compute the number of members of a county council to be elected in each district if the election of the members is to be by district pursuant to this chapter.

7914. In each county, the name of each candidate for member of a county council shall appear on the ballot only if she or he is registered as preferring the Green Party and has filed a nomination paper pursuant to Chapter 5

(commencing with Section 6850) of Part 1 of Division 6, signed on the candidate's behalf by Green Party voters of the county council election district in which she or he is a candidate.

7915. In counties where members of county councils are to be elected by district, a person seeking election as a member of a county council may seek election only in the district in which she or he resides.

7916. Notwithstanding any other provision of this code, a person may obtain and circulate nomination papers for both nomination to a public office and for election as a member of a county council.

7917. Notwithstanding any other provision of this code, the number of sponsors that shall be required of a person to be a candidate for member of a county council shall be either not less than 20 sponsors, or not less than 2 percent of the number of voters registered as preferring the Green Party in the county council election district, whichever is less.

7918. Notwithstanding any other provision of this code, each sponsor is entitled to sponsor as many candidates as there are seats in the district. Candidate names listed on a single sponsor's certificate, and the signatures on the certificate shall count toward the sponsor requirement of each and every candidate whose name is listed on the certificate. The number of candidates having their names on a sponsor's certificate shall not exceed the number of members of a county council to be elected in the district.

7919. The elections official of each county shall include the office of member of county council and the candidates for the office in a place and manner similar to that for the office of county central committee of other political parties and the candidates for that office on the applicable official lists.

7920. The order of appearance of the names of the candidates for member of county council on the ballot shall be determined by a public drawing held at the time, place, and manner prescribed for determining the order of names of county central committee members pursuant to Chapter 2 (commencing with Section 13100) of Division 13.

7921. The office of member of county council shall be placed on the presidential primary ballot under the heading "Party County Council" in the place and manner designated for the office of county central committee pursuant to Chapter 2 (commencing with Section 13100) of Division 13. The subheading printed under party central committees on the presidential primary ballot shall be in substantially the following form: Member of Green Party County Council, ___ the _____ District or Member of the Green Party County Council, _____ County.

7922. Except as otherwise provided in this section, the votes cast for each candidate for member of county council shall be included in the canvass and statement of results in a manner similar to the vote for each candidate for county central committees pursuant to Division 15 (commencing with Section 15000), and specifically:

(a) The final total of votes cast for each candidate for member of county council, including the name, address, and ballot designation of each such candidate, and a specification as to which candidates were declared elected

shall be certified to the Secretary of State without delay upon completion of the official canvass. The county clerk shall simultaneously send one copy of this final certification to the Green Party Liaison to the Secretary of State.

(b) As soon as practicable after the presidential primary election, the Secretary of State shall prepare a certified list, by county, of all elected Green Party members of county councils, including their addresses and primary election ballot designations. The Secretary of State shall send copies of the list to the registrar of voters in each county no later than 45 days following the presidential primary election. This list shall be maintained for public inspection by the registrars of voters in each county until a subsequent list is received.

(c) The Secretary of State, no later than 45 days following the presidential primary election, shall send a notice by mail to each of the elected members of county councils that informs the person that she or he has been elected as a member of the county council. The Secretary of State shall send a copy of the certified list of all elected members of all county councils to the Green Party Liaison to the Secretary of State.

7923. Notwithstanding any other provision of this code, a write-in candidate for member of county council shall not be declared elected unless the write-in candidate has received a number of votes equal to or greater than 2 percent of the number of party members voting in the county council election district at the presidential primary or 20 votes, whichever is less.

CHAPTER 4. STATE COORDINATING COMMITTEE

7924. The members of the state coordinating committee shall be elected as provided in the Green Party bylaws and shall have the responsibilities described in those bylaws.

7925. A person shall not be a member of the state coordinating committee unless she or he is registered as a voter preferring the Green Party.

7926. The state coordinating committee shall hold meetings at least once during each year.

7927. (a) The state coordinating committee shall have the authority to certify, as provided by Green Party bylaws, county council members in the following counties:

(1) Counties where no county council candidates qualified for the ballot in the preceding presidential primary election.

(2) Counties where all members of the county council have become disqualified from holding office.

(b) County council members certified pursuant to this section shall meet the qualifications otherwise required for county council members. County council members certified pursuant to this section shall be reported by the state coordinating committee to the applicable county elections officials. County council members certified under this section shall have all the powers and privileges otherwise afforded to county councils.

7928. The state coordinating committee shall communicate in writing to the Secretary of State the identity of the Green Party Liaison to the Secretary of State.

SEC. 5. Section 1.5 of this bill incorporates amendments to Section 3019 of the Elections Code proposed by both this bill and Assembly Bill 1020. It shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2016, (2) each bill amends Section 3019 of the Elections Code, and (3) this bill is enacted after Assembly Bill 1020, in which case Section 1 of this bill shall not become operative.

SEC. 6. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.